

## **DETAILED ACTION**

### ***Response to Amendment***

1. The amendment filed May 5, 2011 has been fully considered and entered.
2. Claims 1, 30, 61 and 84 are amended.
3. Claims 86-89 have been added.
4. Claims 1, 7, 14-17, 26, 30, 33, 45, 61, 65, 68, 74-82 and 84-89 are currently pending and have been fully considered.

### ***Allowable Subject Matter***

## **EXAMINER'S AMENDMENT**

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Blanchard on May 18, 2011.

The application has been amended as follows:

Claim 65: The method of claim 61, where the oxidoreductase comprises an enzyme selected from the group consisting of an oxidase and a dehydrogenase; and where the first soluble redox species is a reducible species.

Claim 79: The electrochemical sensor strip of claim [2] 1, where the electroactive organic molecule and the oxidoreductase are substantially present only in the first

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reagent layer, and the first soluble redox species is substantially present only in the second reagent layer.

Claim 80: The electrochemical sensor strip of claim ~~[34]~~ 30, where the electroactive organic molecule and the enzyme are substantially present only in the first reagent layer, and the first soluble redox species is substantially present only in the second reagent layer.

Claim 81: The method of claim 61, where the electrochemical sensor strip further comprises a third electrode comprising ~~[the]~~ a third soluble redox species.

Claim 86: cancelled.

Claim 87: The ~~[method]~~ electrochemical sensor strip of claim 30, where the second soluble redox species is capable of undergoing a redox reaction opposite to that of the first soluble redox species.

6. Claims 1, 7, 14-17, 26, 30, 33, 45, 61, 65, 68, 74-82, 84, 85 and 87-89 are allowed.

7. The following is an examiner's statement of reasons for allowance: The closest prior art available is that cited in the previous action including WINARTA et al (US 6,287,451), HODGES et al (US PG PUB 2001/0052470) and TANIKE et al (US PG PUB 2001/0006149). Regardless of the combination of these references, the examiner has found no reason of record in the art to utilize the electroactive organic molecule in the first reagent and not in the second reagent in conjunction with requiring both species of a redox pair to be present in the second reagent layer with essentially no other pieces present in the second reagent layer. The most recent amendment requiring the second

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reagent layer to consist essentially of "a redox pair comprising a first soluble redox species and a second soluble redox species, the redox pair selected from the group consisting of an organotransition metal complex, a transition metal coordination complex and mixtures thereof" reads clear of the currently applied art and any other art or combination found by the examiner.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KOURTNEY R. SALZMAN whose telephone number is (571)270-5117. The examiner can normally be reached on Monday to Thursday 6AM - 4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Keith Hendricks can be reached on (571) 272-1401. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/KAJ K OLSEN/

Primary Examiner, Art Unit 1724

krs

5/18/2011